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VOTERS FAVOR CITY MANAGER FOR ALLIANCE

SPECIAL ELECTION RESULTS IN ENDORSING PLAN

FIFTY-THREE VOTES MAJORITY

Telephone Franchise Overwhelmingly Defeated With 273 Votes to Spare. Nearly Seven Hundred Out to Cast Ballots

Tuesday's special election, called for the purpose of deciding whether Alliance should be the first city in Nebraska to try the city manager plan under the provisions of the state law, and to decide whether popular opinion favored the granting of a franchise to the Nebraska Telephone company, again showed the futility of attempting to forecast the sentiment of the elusive voter. There were 699 votes cast in the four wards, and the city manager plan was approved, 376 ballots being cast in its favor, and 323 against, the majority being 53.

The telephone franchise went down to defeat by an overwhelming majority. The proposal mustered but 202 votes in its favor, and 475 registered an emphatic disapproval of giving the telephone company anything.

Following is the unofficial tabulation of the vote:

City Manager Plan.		
	For	Against
First ward	62	31
Second ward	109	166
Third ward	125	07
Fourth ward	80	29
Totals	376	323
Majority	53	

Telephone Franchise.		
	For	Against
First ward	29	64
Second ward	71	195
Third ward	69	145
Fourth ward	33	71
Totals	202	475
Majority		273

The results of the vote on the city manager plan came as a distinct blow to the opposing forces, who hesitated to part with the mayor and council system, and likewise came as a surprise to the advocates of the new plan, who had half-way been expecting defeat. Until 2 p. m., the vote was very light, but from then on they began to crowd into the polling places and clamor for ballots, until the totals assumed a very respectable proportion.

The Second ward, which cast a vote of 109 against the plan and 109 in favor of it, was the only one which returned a majority against a change. The other three wards returned a proportionate majority in favor of the city manager plan. From the first it was plain where the Second ward stood, a number of the voters taking occasion to make their position plain. Ever since the petition was presented to the council, the public has been more or less unconcerned about the special election, despite efforts of the newspapers to arouse interest and discussion. A speaker imported from the state university drew an audience of but twenty-five and most of these were already in favor of the new plan. Indications were that it would be beaten by a comfortable majority, and so the opposing forces rather laid down on the job. This proved their undoing. Tuesday afternoon a number of advocates of the plan appeared on the streets and in other ways became active, and voters were hurried to the polls and told to take their wives with them.

Several things contributed to the sudden change of sentiment. Early in the morning circulars were distributed which pointed out the prevalence of bootlegging and other civic ills, and urged people to vote for "a change" and "to clean up the city." Later, when the news came that the Second ward was piling up a big majority against the plan, its supporters spread the news about, and the women in the other three wards were aroused to the danger of the "colored" vote controlling the city. The appeal was most effective, and the rest of the afternoon women were hurrying to the polls.

The telephone franchise was doomed to defeat from the start, and it is thought that the council expected such a verdict when it submitted the proposition to a popular vote. Alliance is listed among the cities who are simply irreconcilable as regards the rate-making powers of the state railway commission. Years ago, when the last franchise for the telephone company was passed, it contained a section or two giving rates the company might

charge. Later the power to make rates was given to the railway commission, which promptly permitted the company to hike their charges in Alliance. A big wail went up from the council and the business men, for the increases weren't slight ones. Since that time, every increase that has been granted has added fresh fuel to the flames of resentment against the company, and this feeling is pretty general all over the city.

Telephone company officials declined to make any statement regarding the outcome of the election. They did not attempt in any way to catch votes for the proposition, probably figuring that it was a hopeless job, and that anything they might say would be used against them. The company's attitude has been that the franchise didn't grant any rights or privileges except the right to do business in Alliance. The exchange here is in need of some improvements and certain extensions are badly needed. These have been held up until some sort of a franchise has been granted. The company's attitude has been that without a franchise it couldn't put up a pole or string a wire, and while they have not held strictly to this interpretation, they haven't spent any great amount of money here. One official mentioned the fact that Alliance was down for some \$25,000 worth of improvements provided the franchise carried, but this bait didn't tempt the council and wasn't offered to the public.

"We'll stay in Alliance until we're ordered to leave, I suppose," said one official, "but undoubtedly the company will spend just a little money as it has to until such time as we get a franchise."

EQUITY TERM OF DISTRICT COURT

Elver Bullock Released on Writ of Habeas Corpus—Aletr Hovorka Figures in Two Cases

District court has been in session since Tuesday morning, Judge W. H. Westover presiding, and indications are that the remainder of the week will be occupied.

The matter of the release of Elver Bullock on a writ of habeas corpus was heard Wednesday noon, and the judge ordered the prisoner released. Bullock was arrested by Chief of Police Jeffers several days ago, and he had been held in the city jail with no charge filed against him. Police officers had neglected or refused to file a charge. Attorney Eugene Burton represented Bullock, and W. R. Metz represented Chief Jeffers.

Judge Westover made it plain that police officers have no authority to commit a man to jail, although they may arrest and hold a man for investigation for a reasonable time before filing a complaint. Only a magistrate has the power to commit a man to jail. The city police had believed Bullock suffering from a communicable disease, but results of a test showed this belief to be erroneous. The case was tried simply to get at procedure in future cases.

Albert Hovorka figured in two cases this week. In the first he sought an injunction against Sheridan Keane to prevent him trespassing upon his land. Hovorka had had trouble from travelers cutting his fence. He had gone so far as to nail up one gate. The wires were later cut, and Keane was charged with doing it. Keane testified that he had crossed Hovorka's land, but had not cut wires of his fences. In this instance, he declared, he had found a loose post, had laid it on the ground and later replaced it. County Judge Tash had previously granted a restraining order. Judge Westover declared that Hovorka was entitled to the quiet and peaceable possession of his land and that no one had a right to trespass upon it. He made the injunction permanent, but ruled there had been no damage.

This morning the suit of Frank Matoucek vs. Albert Hovorka was called. Matoucek accused Hovorka of abusing him, calling him bad names and threatening to "fix" him. He claimed Hovorka had abused his children, set the dog on his daughter and had tried to frighten her horse. This was due to the fact that Matoucek had used a road over his place—one that had been in use for twenty years. The testimony showed there had been trouble between the two previously, and that Hovorka had purchased land on all sides of the plaintiff, and had boasted that he "had him where he could 'fix' him." The judge decided that this case was "about six of one and half a dozen of the other," dismissed the peace bond secured by Matoucek in county court and dismissed the case, mentioning, however, that if any person interfered with children going to school, it would go hard with him.

Lilyan Mumford was granted a decree of absolute divorce from Robert Mumford.

MRS. M'ELHANEY GETS A SENTENCE OF THIRTY YEARS

HARD BLOW FOR SLAYER OF EARL B. ANDERSON

Expected to Receive Much Lighter Punishment—Thinks It More Than She Deserved

Evelyn Preiss McElhaney, twenty-one years old, convicted by a jury in district court two weeks ago of second degree murder, was sentenced at 9:30 o'clock Thursday morning to thirty years at hard labor in the state penitentiary by District Judge W. H. Westover. Judge Westover is holding a short equity term of district court this week, and waited until the conclusion of a Cherry county land case before pronouncing sentence. Public interest has been manifested in the number of inquiries the officers have received as to the time Mrs. McElhaney would be sentenced, and despite the fact that no hour had been set, a crowd that filled the courtroom had gathered.

William Mitchell, defending Mrs. McElhaney, had filed a motion for a new trial, the petition alleging a number of errors in the instructions of the court to the jury, and declaring that because of the inflamed condition of public sentiment, a fair trial was impossible. The motion was not argued, and was denied by Judge Westover.

When Mrs. McElhaney was asked whether she had any reason to give why sentence should not be pronounced upon her, she answered "No" in a firm tone of voice. When the judge announced the thirty-year punishment, she started perceptibly and turned somewhat pale, but retained her composure.

Later, in the office of Sheriff Miller, the defendant broke down and wept. She told the sheriff and her husband, "I don't think I deserved that much." Her husband, L. A. McElhaney of Edgemont, S. D., was the only one of her relatives present at the time sentence was pronounced. A sister, who is now conducting the Wilson rooming house, owned by Mrs. McElhaney, called during the morning. Other relatives came in later during the day.

Mrs. McElhaney was not taken to Lincoln Thursday evening, as had been planned by the sheriff. There are three prisoners to go to the penitentiary—Mrs. McElhaney, Urban Zediker and probably J. W. McDonald, who pleaded guilty in county court to a Christmas day theft from the Schwaderer home near Alliance. McDonald was given a week by Judge Westover in which to wind up his affairs and write some letters home and elsewhere. At the end of that time he is expected to plead guilty and receive his sentence.

Mrs. McElhaney will be taken to the state penitentiary on the late train tonight, according to Sheriff Miller. She was permitted to go to the Wilson rooming house and secure some of her things this afternoon.

The law of Nebraska requires that when a woman is taken to the penitentiary, there must be a feminine escort beside the police officer in charge. Mrs. Charles Jeffers, wife of the Alliance police chief, has been elected for the place.

Attorneys for the defense have not yet expressed themselves concerning an appeal to the supreme court.

KNIGHTS OF COLUMBUS PLAN BANQUET AND INITIATION

Alliance council, Knights of Columbus, will hold a banquet and initiation Sunday, January 9, at which time thirty-five candidates will be inducted into the mysteries of the order. Members and candidates will meet in the basement of Holy Rosary church at 7:45 a. m., and will attend communion in the church in a body. The initiation will begin at noon at the K. C. hall. The Alliance council will confer the first and second degrees, and the third degree by members of various councils in western Nebraska.

A banquet will be served at the Palm room of the Alliance hotel at 7 o'clock. The speakers will be Rev. Father Manning and Rev. Father Maloney, who has just returned from a trip to Ireland and will have many interesting things to relate. After the banquet the initiates and members will return to the K. C. hall for a smoker and "get-together." Several out-of-town visitors are expected for the ceremonies.

W. A. Coleman left Wednesday evening for New York city, called there by the sudden illness of his daughter, Grace.

SCOTTSBLUFF IS EXCITED OVER PACKING PLANT

BUT SOMEONE HAS GIVEN THAT CITY A WRONG STEER

Impression Out That Half the Stockholders Have Agreed to Stay in the Re-organized Company

Scottsbluff, the sugar beet metropolis of western Nebraska, is still afflicted with visions of a big packing plant to be constructed there or thereabouts, and to be paid for in part with Alliance money. The Scottsbluff chamber of commerce has dreamed dreams, and has heard voices from the wilderness crying out, and the burden of those dreams and voices was that Alliance was due to lose a big establishment, and that it was the opportunity of a lifetime for the sugar town, as well as a chance to deliver a body blow to the nearest competitor. And so they fell for it—hard—and for weeks have been thinking of little else. Which same is all right—it is well for a city to have ambitions. Ambition made Caesar what he was—and what he was.

These dreams and visions are still with the Scottsbluff people, despite the fact that over two-thirds of the stockholders of the Alliance Packing company voted unanimously to dissolve the corporation and get their money back, even though this process entailed a loss of 17½ per cent of the money they had invested. We seem to recall, dimly of course, that someone moved the adoption of a resolution changing the name of the organization to the Nebraska Packing company. This resolution was the first step in the plan to remove the company to Scottsbluff. It didn't get a single second—although there was a wait for several quiet minutes during which the presiding officer hoped that fifty people would endorse the plan. The lack of enthusiasm was so marked that other resolutions along the same line were never introduced.

The newspapers of Scottsbluff for weeks maintained an air of impenetrable mystery. They told of a million-dollar packing company that was ripe and about to fall into their lap. These cryptic references began to appear in the columns of the newspapers about the time President Plumble of the defunct company began to talk of moving the packing plant to Scottsbluff because he couldn't get support here. On the eve of the stockholders' meeting, however, the newspapers dropped the mysterious stuff, and admitted that their city expected to capture the Alliance company, change its name, take it home with them, reorganize it and make it go. They said openly that because the project failed in Alliance was no reason why it shouldn't succeed in Scottsbluff, because their's was a better city, and that they had more enterprising boosters.

The average man would conclude that the decisive vote at the stockholders' meeting would have dampened their ardor somewhat, but apparently this isn't the case. The reason for this lies presumably, in the fact that the Scottsbluffers are still hearing voices. And these voices tell them wonderful things. At first the voices told them that they could get the packing company with \$200,000 paid-up capital—a fair start toward a million. Think of the glory that would be theirs if they could take a concern that had failed in Alliance and make it go in Scottsbluff. And what a nice start \$200,000 would give 'em.

And so, despite the stockholders' meeting, they are not downhearted. The voices still murmur in alluring tones. But now the song has changed. There won't be \$200,000 to start the new "reorganized" company off with, but about "\$100,000" worth of stockholders will enter into the new company now—or at least after proper persuasion. It seems, according to the Scottsbluff newspapers, that only half of the stockers really favored dissolution of the company. Just why the people who were against it voted in favor is another mystery, but the voices will doubtless explain it all in due time.

The Scottsbluff Republican, which is most excited over the rosy prospect, figures that city has a stern duty facing it. "Apparently it's up to Scottsbluff to reorganize the company," is the way that newspaper puts it. And this is what it says of Scottsbluff's newest opportunity:

"Scottsbluff seems now in direct line to secure a million dollar packing plant, as the proposition which has been considered here, seems destined to fall into the lap of Scottsbluff. At the meeting of stockholders held at Alliance yesterday, the organization

THE WEATHER

Forecast for Alliance and vicinity: Generally fair tonight and Saturday; somewhat colder tonight.

was dissolved, and it is up to Scottsbluff, apparently to re-organize it, about \$100,000 of the securities to be transferred here.

"In telephone communication with officers of the company at Alliance yesterday, it was ascertained by this paper, that the dissolution of the Alliance company had been accomplished at the meeting held by the stockholders on Monday, and that half of the shareholders agreed to transfer their securities to a new company.

"At this meeting it was developed that there were present 202 stockholders, out of the total 298. The amount of stock which had been sold in that vicinity totalled about \$200,000. The owners of half this amount did not wish to proceed with the proposition, but the others were willing to see a transfer of their securities to another organization.

"With this feeling apparent in the conference it was then voted to cancel the permit to Alliance, and the proposition is now open to be considered by other localities.

"It is understood that the president of the company, R. E. Plumble, and the prospective manager, A. B. McCue, who is recommended by the underwriters, are quite strongly in favor of Scottsbluff as a location for the new company to be organized and the opportunity now seems to be clear for Scottsbluff to get after and secure the packing plant if she wants it."

FAKE SOLDIER GETS IN DUTCH

Represents Himself as Horse Buyer For United States Cavalry, and Issues Bum Check

Attempting to pass himself off as a horse buyer for the United States cavalry, a supposed soldier who gave the name of W. A. R. Morris, master sergeant major, tried to realize \$50 from William Rice, on a worthless check and has been lodged in the city bastille since Tuesday afternoon. He has told many conflicting stories to everyone who has talked to him, most of them of the thinnest character imaginable.

About one week ago he presented himself to Mr. Rice and said he was buying horses for the government to be used in the cavalry service. Mr. Rice took him at his word and was kind enough to take him to interview several different local owners of Alliance and vicinity. The soldier issued a check on the First Union Trust company of Washington, D. C., on Saturday, January 1, 1921, and asked Mr. Rice to advance him the money on it. Mr. Rice did not do so, and the man came to Alliance.

The offense was committed in Morrill county and Chief Jeffers has communicated with the authorities at Bridgeport, but they have as yet taken no action.

JACK MILLER LEAVES FOR NEW HOME IN IOWA

J. B. Miller, who has been an Alliance resident for the past nineteen years, and engaged in business here a larger share of that time, left Thursday noon for Des Moines, Ia., where he will make his headquarters. Mr. Miller has accepted a position as traveling salesman for Perego & Moore, cigar manufacturers, his territory embracing southeastern Iowa. The family will not leave Alliance until the close of the school year, a son, Tom, being in the graduating class.

Jack Miller was in partnership with his brother, Glen Miller, in the furniture store and news stand, for twelve or thirteen years. He then lived on a ranch near Alliance for a year or so, and about three years ago entered into partnership with J. W. Guthrie.

During the war, Mr. Miller organized Company G of the Fourth Nebraska Infantry, and was made captain of the home company, which he accompanied to Texas. He was first sergeant of Company A of the First Nebraska during the Spanish-American war and saw active service in the Philippines.

In the removal of Jack Miller, Alliance loses a good fellow and a good booster, and Alliance post of the American Legion loses not only its commander, but one of its strongest members. He is blessed with the sort of a nature that will enable him to make a record in almost any position, and Alliance friends are expecting great things from him, as well as wishing him the best of good fortune.

GOVERNOR URGES CHANGES IN THE LAWS ON PAROLES

SUGGESTS CHANGES IN MESSAGE TO LEGISLATURE

SAYS SAVING UNDER CODE BILL

Claims Cost of State Department Has Been Kept Within Legislative Appropriation for First Time in Years

A comprehensive program dealing with criminals and parole legislation, soldier relief, agriculture, and more stringent regulations governing the sale of securities were among the things outlined by Governor Samuel R. McKelvie, in his message to the legislature, Thursday afternoon, January 6. The governor reported that departments organized under the civil administrative code had saved \$135,644.80, which would be returned to the various funds at the end of the biennium. It was asserted that this is the first time in years that the cost of government in these departments has been kept within the appropriations made by the legislature.

Governor McKelvie urged, however, that just as few new laws be enacted as possible, stating that "our statute books are encumbered now with laws that are obsolete and unenforced." He also urged that "our legislative acts be stimulated by a desire to serve all the people without regard to class, race or creed. We must constantly bear in mind," he said, "that regardless of vocation, station, or religion, there exists among us a bond of interdependence which means that when an imposition is worked upon the least of us, the ills that result are felt by the rest of us."

Law Enforcement Legislation. The governor would change the parole laws so that only first offenders could be paroled, and he would leave it to the courts whether the sentence should be determinate or indeterminate. He would also remove from the list of parolable offenses all crimes or attempts at crime against the person, especially crimes against women. Formal applications for parole would have to be made in writing, and all hearings of the board of pardons and paroles would be public. It was recommended that capital punishment be abolished, but that no one should be permitted to alter the sentence of the court for such crimes.

It was a very remarkable fact, however, that of those on parole during the last biennium, only 6 per cent violated their paroles by committing other offenses, which is believed to be the smallest percentage of parole violations in the history of the state, and probably the lowest of any state in the union having the indeterminate sentence law. The governor presented the following table, showing the number of pardons issued during the two-year periods for the last ten years indicating the small number of paroles that have been made during the last two years:

	1912	1914	1916	1918	1920
Pardons	52	2	1	3	3
Commutes	16	2	3	13	4
Furloughs	1	37	30	23	12
Paroles	114	361	428	590	306

In order that first offenders might not be imprisoned with hardened criminals, it was recommended that a reformatory be built. The number of men in the penitentiary increased from 283 to 550 in the two-year period beginning January 7, 1919, making the present quarters crowded.

Prison Labor on Roads. The governor recommended that the use of prison labor on the roads be extended. Out of the 103 men so employed last year, only four attempted to escape. "It is doubtful if any state has ever conducted such a successful initial experiment, and it is highly important that legislation be enacted that will encourage the extension of this policy," said the governor. "It is the experience of prison officials that nothing serves quite so well to enhance the good behavior of prisoners as the assurance that faithful service and trustworthiness will hasten the day of their release." He recommended the granting of additional good time to be deducted from the terms of those who have proved trustworthy.

In spite of the wave of crime that has been sweeping the country, the governor reported that the number of automobile thefts in Omaha and Lincoln have been reduced 26 per cent during the past year. It was recommended that a bureau of investigation be established in the department of

(Continued on Page 2)